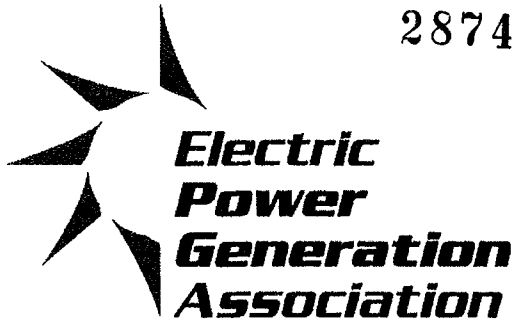


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800 North Third Street, Suite 303  
Harrisburg, Pennsylvania 17102  
Telephone (717) 909-3742  
Fax (717) 909-1941  
www.epga.org

November 29, 2010

Environmental Quality Board  
P.O. Box 8477  
Harrisburg, PA 17105-8477

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IRRC

2010 NOV 30 P 2:39

**Subject: Proposed Rulemaking, Commercial Fuel Oil Sulfur Limits for Combustion Units, [40 Pa.B. 39] [Saturday, September 25, 2010]**

Environmental Quality Board:

Following are the comments of the Electric Power Generation Association (EPGA) on the proposed rulemaking "Commercial Fuel Oil Sulfur Limits for Combustion Units." EPGA is a trade association of electric generating companies with headquarters in Harrisburg, PA. Collectively, our members own and operate more than 147,000 megawatts of electric generating capacity, approximately half of which is located in Pennsylvania and surrounding states. Our members include AES Beaver Valley, LLC, Allegheny Energy Supply, Dynegy, Inc., Edison Mission Group, Exelon Generation, FirstEnergy Generation Corp., LS Power Associates, PPL Generation, LLC, RRI Energy, Inc., Tenaska, Inc., and UGI Development Company. These comments represent the views of EPGA as an association of electric generating companies, not necessarily the views of any individual member company with respect to any specific issue.

EPGA is supportive of this proposed rule because these measures represent extremely cost effective sulfur dioxide (SO<sub>2</sub>) control measures. EPGA recognizes that these cost effective reductions are an appropriate measure to be taken as part of a comprehensive strategy for the Commonwealth. Additionally, EPGA would like to commend the Department of Environmental Protection for changes made to the proposed rulemaking that corrected a significant problem incorporated in an earlier version. A previous version of this proposed rulemaking was presented at the Air Quality Technical Advisory Committee meeting of February 18, 2010. At that meeting, a conceptual problem was identified relative to the ultimate consumer being unable to use fuel oil which had been previously purchased under different regulatory requirements after the compliance dates specified in the proposed rulemaking. This issue has been addressed and corrected by the exceptions under 123.22(a)(2)(ii), 123.22(b)(2)(ii), 123.22(c)(2)(ii), 123.22(d)(2)(ii) and 123.22(e)(2)(ii). EPGA also supports the exemptions provided under 123.22(a)(2)(iii), 123.22(b)(2)(iii), 123.22(c)(2)(iii), 123.22(d)(2)(iii) and 123.22(e)(2)(iii) as these appropriately recognize extenuating circumstances which could affect the production and/or availability of compliant fuel oil.

EPGA appreciates the opportunity to provide comments on the proposed rulemaking "Commercial Fuel Oil Sulfur Limits for Combustion Units." If you have any questions or comments, please don't hesitate to contact me. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "D. L. Biden".

Douglas L. Biden  
President, EPGA

cc: Arleen Shulman, PaDEP  
Kristen Furlan, PaDEP

Cooper, Kathy

---

**From:** Sharon Barbour [sharon@epga.org]  
**Sent:** Monday, November 29, 2010 10:33 AM  
**To:** EP, RegComments  
**Subject:** EPGA Comments on Proposed Rulemaking, Commercial Fuel Oil Sulfur Limits for Combustion Units, [40 Pa.B. 39] [Saturday, September 25, 2010]  
**Attachments:** Commercial\_Fuel\_Oil\_Sulfur\_Limits\_for\_Combusion\_Units.pdf

Environmental Quality Board Members,

Please see the attached comments from the Electric Power Generation Association on "Proposed Rulemaking, Commercial Fuel Oil Sulfur Limits for Combustion Units, [40 Pa.B. 39] [Saturday, September 25, 2010]."

If you have any questions or encounter any problems with this transmission, please feel free to contact the following:

Regards,

**Douglas L. Biden, President**  
Electric Power Generation Association  
800 North Third Street, Ste 303  
Harrisburg, PA 171021  
Phone: 717-909-3742  
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